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Date: 20 September 2004

To: **MAIL STOP AF**
Examiner Lauren Q. Wells
US Patent and Trademark Office
Fax: 703-872-9306

Subject: USSN 09/582,119
Our Ref.: Beiersdorf 621.1-HCL/ 100718-177

From: Howard C. Lee**Comments:** Notice of Appeal; Two Months Extension of Time

If you have any questions or need further information, please contact us.

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PTO/SB/31(06-03)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) Beiersdorf 621/ 100718-177
<u>CERTIFICATE OF FACSIMILE TRANSMISSION</u> I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 20 th day of September 2004. <u>Agata Glinska</u> Agata Glinska		In re Application of Benner et al. <hr/> Application Number 09/582,119
		Filed June 22, 2000 <hr/> For Cosmetic or pharmaceutical preparations having a reduced feeling of stickiness... <hr/> Art Unit 1617
		Examiner Lauren Q. Wells
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated April 20, 2004 finally rejecting claims 15-22.		
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ <u>330.00</u>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is : \$.		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>14-1263</u> .		
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the		
<input type="checkbox"/> applicant/inventor.		
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).		
<input type="checkbox"/> attorney or agent of record. Registration _____		
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>48,104</u>		
<u>September 20, 2004</u> Date		<u>Howard C. Lee</u> Signature
<u>(212) 808-0700</u> Telephone Number		<u>Howard C. Lee</u> Typed or printed name
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input type="checkbox"/> Total of _____ forms are submitted.		

This collection of information is required by 37 CFR 1.8. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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